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UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

14 UNITED STATES OF AMERICA, ) CR 07-0428 MMC  
15 Plaintiff, ) STIPULATION AND [PROPOSED] TRAVEL  
16 vs. ) ORDER  
17 CARMEN CHAN and PAUL LEUNG, )  
18 Defendants. )

At the initial setting of the bond and Conditions of Pretrial Release in this matter, defendants PAUL LEUNG and CARMEN CHAN requested that they be permitted to travel internationally for business, family and pleasure as a condition of their release. Magistrate James Larson suggested that a stipulation be prepared by the parties setting forth the prospective travel dates and submitted to the court for approval. Defendants submitted the proposed travel itineraries to AUSA Denise Barton and the government objected to defendant Carman Chan's proposed travel request.

25 On August 14, 2007 by noticed motion Defendants PAUL LEUNG and CARMEN CHAN,  
26 husband and wife, sought court approval to travel to the locations listed below on the following dates:

Hong Kong from August 21, 2007 to September 4, 2007

1 Hong Kong from October 2, 2007 to October 18, 2007

2 Hong Kong from November 13, 2007 to November 30, 2007

3 Japan from December 10, 2007 to December 18, 2007

4 Hong Kong December 29, 2007 to January 21, 2008.

5 At the August 14, 2007 hearing Pretrial Services officer Betty Kim informed the court that  
 6 Pretrial Services did not oppose the defendants request. The court was informed that each defendant had  
 7 posted \$100,000 cash deposit with the clerk of the court as a condition of their pretrial release. The  
 8 court approved defendants proposed travel schedule.

9 AUSA Denise Barton arrived late for the hearing due other court matters. The court met with  
 10 counsel for both parties in chambers where the court heard and considered the government's objections  
 11 regarding the requested travel.

12 The court then modified the initial travel order approving the first trip to Hong Kong from  
 13 August 21, 2007 to September 4, 2007 and reserving judgment on the remaining proposed trips  
 14 indicating that if the initial travel was completed without incident the court most likely would approve  
 15 subsequent travel requests of the parties.

16 Defendants PAUL LEUNG and CARMEN CHAN successfully completed their travel to Hong  
 17 Kong from August 21, 2007 to September 4, 2007 and returned without incident. Pretrial Services has  
 18 been informed of their intention to return to Hong Kong from October 2, 2007 to October 18, 2007 and  
 19 has no objection to defendants second travel request.

20 As such, the parties HEREBY STIPULATE that defendants be permitted to travel to Hong Kong  
 21 October 2, 2007 to October 18, 2007.

22 SO STIPULATED.

23 DATED: September 24, 2007

24 /s/ Denise Marie Barton /s/Garrick S. Lew /s/Matthew A. Siroka

25 Counsel for the Government Counsel for Defendant  
 Carmen Chan Counsel for Defendant  
 Paul Leung

28 **ORDER**

1 Good cause appearing;

2 IT IS HEREBY ORDERED that defendants PAUL LEUNG and CARMEN CHAN, husband and  
3 wife, be permitted to travel to Hong Kong from October 2, 2007 to October 18, 2007.

4 IT IS FURTHER ORDERED that the Clerk of the Court return the passports of PAUL LEUNG  
5 and CARMEN CHAN to each defendant prior to the departure date of October 2, 2007 and that each  
6 defendant redeposit their passports with the Clerk of the Court no later than October 22, 2007.

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8 DATED: September \_\_\_\_, 2007

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10 United States Magistrate Judge James Larson

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